



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

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495714
ADMINISTRATIVE RECORD

Ref: EPR-ER

September 20, 2001

Mr. Alan Stringer
Libby Representative
W.R. Grace & Company
317 Mineral Avenue
Libby, Montana 59923

Subject: Clean-up Work at the Export Plant and Your Letter to the Western News Dated August 22, 2001

Mr. Stringer,

On August 22, 2001 the Western News published a letter that you authored concerning the work that W.R. Grace and Company (W.R. Grace) had done, and had remaining to do at the Export Plant. The letter was replete with mistakes and clear misstatements of fact. At a subsequent Community Advisory Group (CAG) Meeting you spoke and apologized for implying that Les Skramstad, or anyone else "planted" vermiculite on the property, but you did not address any of the other misstatements in your letter. Nor have I seen any written corrections from you, or anyone else from W.R. Grace on the matter. Below I will outline the basic corrections to the misleading statements in your letter.

1. **There was in fact abundant vermiculite ore and wastes that contain asbestos remaining at the Export Plant in surface and subsurface soils, and in areas where W.R. Grace had excavated, and on the buildings that W.R. Grace attempted to clean.** Your statement that it is "...simply not possible..." that the vermiculite could not be left after Grace's clean-up effort is simply not true. If you recall, W.R. Grace shut down its excavation operations for the season in December of 2000. At that time the Export Plant was covered with snow, and it was not practical to visually inspect and sample all of the area at that time. In March 2001 EPA inspected the property and collected soil samples from the area. At that time EPA informed the designated W.R. Grace project contact, Jim Stout, that visible vermiculite wastes and ore were present at the surface around each of the buildings, along the entire western edge of the Site, and in the area along the railroad tracks, especially in the vicinity of the small shed. The data from the samples (which showed asbestos levels up to 35% by PLM) were hand delivered to W.R. Grace last Spring. It seems strange to quibble over the difference between the presence of a quart



jar and a five gallon bucket of this material at the Site (as your letter does), when it will actually be counted in truckloads. Likewise, inspection and sampling of the buildings last Spring also showed the presence of vermiculite and asbestos on and in the buildings. Also, there is absolutely no doubt that this material has been present at the Export Plant since sometime before W.R. Grace sold the property to the City of Libby in 1994. Any notion that someone planted the material after last December is simply preposterous.

2. Although W.R. Grace followed some of the requirements of the Unilateral Administrative Order (UAO) and W.R. Grace's subsequent Work Plan, it did not satisfy all of the requirements of either. The UAO and W.R. Grace Work Plan required that all visible vermiculite materials and associated asbestos contamination be removed from the entire Surface of the designated area on the Site. The UAO also required that in the sub-surface all visible vermiculite materials were to be removed, and that soils were to be removed to a depth of 18 inches if they contained asbestos. The UAO did allow for W.R. Grace to attempt to clean the buildings, but reserved the EPA's right to determine the final adequacy of this work. It is worth noting that this option was included at the insistence of W.R. Grace; the EPA, and almost all of the other parties involved thought from the start that it would be simpler, quicker, and cheaper to demolish the buildings.

Although the requirements of the UAO were met in most areas of the Site, they were not met in the areas discussed above, and ultimately the cleaning of the buildings proved ineffective. This is why the EPA formally directed W.R. Grace to complete the work required under the UAO in the letter I sent to you, dated July 27, 2001. It should be clear, this is not additional work beyond the scope of the UAO and W.R. Grace Work Plan, it is work that was required from the start. You indicate in your letter that last February I stated that I thought the work at the Export Plant looked good, and that the initial sampling showed that the building cleaning seemed adequate. What you omit, however, is that at the same time I stated that we would do final inspections in the Spring, after the snow had melted and the Site controls were taken down. You also fail to mention that at a subsequent CAG meeting in April, I made clear that I was wrong in my initial assessment, stating that unacceptable levels of contamination remained at the surface of the property, and in the buildings. You also fail to mention that we had told the same thing to you and other W.R. Grace representatives at that time as well.

3. There are no "other forces" at work, W.R. Grace must simply comply with the terms of the UAO and Work Plan. I am not sure what "other forces" you are talking about. But there are no grand conspiracies at play here. The EPA is tasked by law to take steps to minimize the exposure to, and risks to the public posed by the presence of hazardous substances (in this case the Libby amphibole asbestos) in the environment. That is why the UAO was issued to W.R. Grace, and why W.R. Grace was required to develop its Work Plan for the Export Plant. It is the EPA's job to ensure that W.R. Grace does this clean-up in a complete, safe and protective manner. That is all that is being enforced here. If W.R. Grace would focus more effort in its clean-up than in writing misleading letters such as yours of August 22, 2001, a lot more would have been accomplished in a much shorter period of time.

4. **The data W.R. Grace received from EPA cannot indicate that the contamination “came from underneath the buildings there” because EPA has never sampled underneath the buildings.** The statement in your letter “The data Grace has received from the EPA indicates that the tremolite asbestos found at the export plant came from underneath the foundations of the buildings there” is most puzzling. While some of the samples EPA collected came from along side of the buildings, others were collected along the western edge of the Export Plant, others from the stretch by the railroad tracks. None, however, were collected from underneath the building foundations, and none were labeled as such. As was physically pointed out to W.R. Grace last Spring, there is visible vermiculite wastes that contain asbestos at the surface, and in the sub-surface at several locations on the property. That is, around each building that was left on site; along the entire western edge of the Export Plant; on the southern edge of the property near the railroad tracks, and around each utility pole at the site. EPA representatives physically showed W.R. Grace personnel these locations, provided the accompanying analytical data, and included a description of these locations in my letter to you of July 27, 2001. There is no logical basis for W.R. Grace to interpret all of this information to mean that “...the data indicates the tremolite contamination at the export plant came from underneath the buildings there.”

If you have any questions concerning any of the points I have made herein, please call me at any time.

Sincerely,



Paul R. Peronard
On Scene Coordinator
Libby Asbestos Site